

REMARKS

I. INTRODUCTION

Claims 1, 4, 8, and 9 have been amended. Thus, claims 1, 3-5, 8, and 9 remain pending in the present application. No new matter has been added. In light of the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 102(e) REJECTION SHOULD BE WITHDRAWN

Claims 1, 3-5, 8, and 9 stand rejected under 35 U.S.C. §102(e) for being anticipated by Devillier (U.S. Patent No. 6,366,661).

Claim 1 recites “[a] method for managing an incoming call to a subscriber terminal, said terminal providing access to resources of the Public Switched Telephone Network (PSTN) and data terminal access to online resources of a packet network, the method comprising: accessing said packet network to ascertain online network status of the subscriber terminal, said accessing said packet network comprising accessing one of an IP network, an Ethernet, a LAN, and a WAN; indicating the arrival of an incoming call of the subscriber terminal during online operation of said subscriber terminal by generating a message to said subscriber terminal; and *according to subscriber preferences stored in a memory, performing one of the steps of (a) forwarding the incoming call to voicemail, (b) forwarding the incoming call to a forwarding number, and (c) activating an options selection menu at said subscriber terminal to provide the subscriber with options to handle the incoming call*, said options including at least one of forwarding the call to a specific number, handing the call via a VoIP service, and sending the call to voicemail.”

In contrast, Devillier teaches that when an “incoming call request is received, the SCP transmits a query to the communications server over the Internet requesting a current online status for the subscriber.” (See Devillier, col. 6, ll. 19-21). If the user is

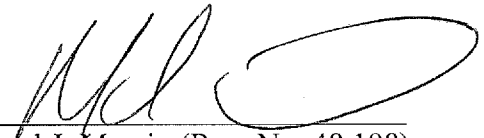
online, Devillier teaches that a display graphic is displayed to the user on the user's PC display informing the user that an incoming call has been received. "The display graphic is interactive in nature and a subscriber may make a selection as to how to route a particular call." (See Id., col. 5, ll. 40-49). The switching point then carries out the subscriber's instructions regarding how to route the call. So, the system of Devillier requires the subscriber to select how the call should be routed. There is no disclosure by Devillier of using a subscriber's preferences to route the incoming call. Accordingly, Devillier fails to disclose or suggest "***according to subscriber preferences stored in a memory, performing one of the steps of (a) forwarding the incoming call to voicemail, (b) forwarding the incoming call to a forwarding number, and (c) activating an options selection menu at said subscriber terminal to provide the subscriber with options to handle the incoming call,***" as recited in claim 1. Therefore, Applicants respectfully submit that claim 1 and its dependent claims 3-5, 8, and 9 are allowable over Devillier.

CONCLUSION

In light of the foregoing, Applicants respectfully submits that all of the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully Submitted,

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